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HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. No. 4822 of 2005

Petitioner		Swaroop Ram Dhritlahare, Aged 36 yrs. S/o Khorbahara Ram Dhritlahare, Peon, C/o Principal, Middle School, Pandharbhatta, Block Dharsiwan, Dist. – Raipur.
	Versus	
Respondents	1.	State of Chhattisgarh, Through the Secretary, Deptt – of School Education, D.K.S. Bhawan, Raipur.
	2.	Director of Public Instructions, C/o Directorate, Public Instructions, Raipur.
	3.	Joint Director, Public Instructions, Raipur.
	4.	District Education Officer, Shailendra Nagar, Raipur.

WRIT PETITION UNDER ARTICLES 226 OF THE COSTITUTION OF INDIA

SB: Hon'ble Mr. Justice **Satish K. Agnihotri**

Shri Pradeep Saxena, Advocate for the petitioner.

Miss Sunita Jain, Panel Lawyer for the respondents.

ORDER

(Passed on this 18th day of April, 2007)

1. The petitioner has filed this petition seeking a direction to the respondents to grant regular pay scale from the date of initial appointment. Learned counsel has brought to the notice of this Court a letter dated 9.8.2002 (Annexure P/12) wherein the State Government, School Education Department, has already decided to grant regular pay scale to the petitioner. It appears, despite clear decision of the State Government, the respondent No.2 has not granted the relief. Accordingly, the petitioner was forced to file this petition in this Court.

2. It is very unfortunate that the respondents No.2 and 4 have not complied with the order passed by the State Government and no

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action has been taken till date against the concerned delinquent officers, who have failed to discharge their duties by not complying with the direction contained in the letter dated 9.8.2002.

3. The State Government is at liberty to take appropriate action against the concerned officers for default and the negligence on their part. However, in view of the clear and categorical decision taken by the State Government, as expressed in the said letter dated 9.8.2002, the respondents are directed to grant regular pay scale, accordingly, and make necessary payments to the petitioner, within a period of 8 weeks from the date of receipt of a copy of this order.

4. In view of the foregoing, this petition stands disposed of. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Thakur